

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO:		5. DATE OF REQUEST:	NEED RESPONSE BY:
<input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:		7/27/2016	8/5/2016
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
3. PHONE NO.:		YOLO COUNTY	
4. REGULATION CITE(S):		7. SUBJECT:	
63-406.2		UPDATED Work Study Eligibility at Application	
		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACIN I-89-15	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

When we determine initial eligibility for a student who gains eligibility for the program through the exemption of being approved for Federal/State Work Study, do we terminate eligibility when we know that the student's eligibility for work study will end?

2 Scenarios:

1. Student applies for CalFresh In March and the school year ends in May, they meet the criteria to be exempt from the CalFresh student rules because of the approval of Federal/State work study. We know that when the school year ends, so will their eligibility to Work Study, and therefore their exemption, however their student status remains during the school break. Would we approve the student in March, despite our knowledge of the end of the exemption (continued next page)

10. REQUESTOR'S PROPOSED ANSWER:

Unknown. 63-406.212 states: "The exemption shall not continue between terms when there is a break of a full month or longer unless the student is participating in work study during the break." Which seems pretty clear, but does that section only apply when the student applies during that break?

63-406.2 states "shall meet at least one of the following criteria on the date of the interview," so if they meet the criteria on the date of the interview then should the exemption apply for the entire certification period.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

MPP 63-406.21 states "In order to be eligible to participate in CalFresh, any student (as defined in Section 63-406.1) shall meet at least one of the following criteria on the date of the interview." Please refer to ACIN I-89-15 for a list of exemption criteria. Once eligibility for an exemption has been established, the exemption will apply through the certification period.

However, there is an exception to the general rule described above that applies to the work study exemption. MPP 63-406.212, which is specific to work study, states that a student must be approved for state or federally financed work study for the current school term, as defined by the institution, and anticipate working during the term in order to be eligible for the exemption. This exemption begins the month the school term starts or the month work study is approved, whichever is later. The exemption continues until the end of the month the school term ends, or it becomes known that the

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ:

JR 2.9.17

CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)

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and continue to aid the student through the certification period as they are not required to report on their student status again until that time? or would we aid the student only for March, April, and May?

2. Same scenario except that the student applies in May and the school year ends in May, does the answer change?

STATE RESPONSE:

student refused a work assignment. The exemption shall not continue between terms when there is a break of a full month or longer, unless the student is participating in work study during the break.

If a break between terms is longer than a month and the CalFresh recipient, previously exempted from the student eligibility rule due to work study, is not participating in work study during the break, the CalFresh recipient would not be exempt from the student eligibility rules during the break. Unless the student is otherwise exempt, the student may be ineligible for CalFresh during the break. CWDs are reminded to assess whether a student, who is not participating in work study during the break, meets the criteria for another exemption before taking action to discontinue their CalFresh eligibility.